

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

BRG HARRISON LOFTS URBAN  
RENEWAL LLC,

Plaintiff,

v.

GENERAL ELECTRIC COMPANY,  
ENVIRONMENTAL WASTE  
MANAGEMENT ASSOCIATES, LLC and  
ACCREDITED ENVIRONMENTAL  
TECHNOLOGIES, INC.,

Defendants.

Civil Action No: 2:16-06577

**DEFENDANT GENERAL  
ELECTRIC COMPANY'S NOTICE  
OF MOTION TO DISMISS  
COUNTS ONE, FOUR, FIVE, SIX,  
SEVEN, EIGHT, ELEVEN AND  
TWELVE OF THE FIRST  
AMENDED COMPLAINT  
AGAINST IT PURSUANT TO  
F.R.C.P. 12(b)(6)**

**Return Date: January 17, 2016**

**TO: ALL COUNSEL OF RECORD**

**PLEASE TAKE NOTICE** that Defendant General Electric Company (“GE”) will move before the Honorable Stanley R. Chesler, U.S.D.J., at the U.S. Courthouse, 2 Federal Square, Newark, NJ 07101, on January 17, 2017, at 10:00 AM, or as soon thereafter as counsel may be heard, for entry of an Order, pursuant to Fed. R. Civ. P. 12(b)(6), dismissing Counts One, Four, Five, Six, Seven, Eight, Eleven and Twelve of the First Amended Complaint against GE with prejudice.

**PLEASE TAKE FURTHER NOTICE** that GE will rely upon the accompanying memorandum of law, the Declaration of Cynthia S. Betz, Esq., with exhibits, and upon all pleadings and proceedings on file herein.

**PLEASE TAKE FURTHER NOTICE** that a Proposed Order granting the motion is attached.

Respectfully submitted,

Dated: December 16, 2016

By: *s/Ira Gottlieb*

Ira Gottlieb

Forrest Jones

Natalie S. Watson

Cynthia S. Betz

**McCARTER & ENGLISH LLP**

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Newark, New Jersey 07102

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that true copies of the foregoing Notice of Motion and supporting documents were filed on the Court's ECF system, on December 16, 2016. The Court's ECF System will automatically generate and send a NEF to all counsel who have appeared in this case, which constitutes service of the filed documents.

By: *s/Ira Gottlieb*  
Ira Gottlieb